

United States District Court  
Northern District of California

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

JOSHUA HILL,  
Petitioner,

v.

JOSIE GASTELO, Warden,<sup>1</sup>  
Respondent.

Case No. [20-cv-06556-YGR](#) (PR)

**ORDER OF DISMISSAL WITHOUT  
PREJUDICE**


On September 18, 2020, Petitioner, a state prisoner, filed the present petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. On the same day the action was filed the Court sent a notification to Petitioner informing him that his action could not go forward until he paid the filing fee or filed a completed prisoner's *in forma pauperis* application. The Clerk of the Court sent Petitioner a blank *in forma pauperis* application and told him that he must pay the fee or return the completed application within twenty-eight days or his action would be dismissed.

More than twenty-eight days have passed and Petitioner has not paid the filing fee, returned the *in forma pauperis* application or otherwise communicated with the Court.

IT IS HEREBY ORDERED THAT this action is DISMISSED WITHOUT PREJUDICE. The Clerk shall terminate all pending motions and close the file.

IT IS SO ORDERED.

Dated: 11/16/2020

  
YVONNE GONZALEZ ROGERS  
United States District Judge

<sup>1</sup> Josie Gastelo, the current warden of the prison where Petitioner is incarcerated, has been substituted as Respondent pursuant to Rule 25(d) of the Federal Rules of Civil Procedure.